

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CHARLES J. LO GRANDE,	)	
	)	
Plaintiff,	)	8:13CV177
	)	
v.	)	
	)	
DOUGLAS COUNTY DEPT. OF	)	MEMORANDUM OPINION
CORRECTIONS, et al.,	)	
	)	
Defendants.	)	
_____	)	

This matter is before the Court on its own motion. On June 12, 2013, plaintiff filed his complaint in this matter along with a Motion for Leave to Proceed in Forma Pauperis ("IFP") (Filing Nos. [1](#) and [2](#)). On July 29, 2013, the Court granted plaintiff's IFP motion and assessed an initial partial filing fee pursuant to [28 U.S.C. § 1915\(b\)\(1\)](#) (Filing No. [8](#)). In doing so, the Court warned plaintiff that his case would be subject to dismissal if he failed to pay the initial partial filing fee by August 19, 2013. (*Id.*) On August 15, 2013, plaintiff filed a motion to waive his filing fee (Filing No. [9](#)). The Court denied the motion, but extended the time for plaintiff to pay his initial partial filing fee until September 20, 2013 (Filing No. [10](#)).

The September 20, 2013, deadline has passed and plaintiff has not paid the initial partial filing fee in this matter. (See Docket Sheet.) Therefore, plaintiff's case will be dismissed for failing to comply with the Court's orders. See

Fed. R. Civ. Pro. 41(b); see also Conley v. Holden, No. 03-3908, 2004 WL 2202452, at \*1 (8th Cir. Sept. 21, 2004) (affirming district court's dismissal of inmate's case for failing to pay the assessed initial partial filing fee). A separate order will be entered in accordance with this memorandum opinion.

DATED this 1st day of October, 2013.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court